IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No.3269 of 2000
with
SPECIAL CIVIL APPLICATION No.3860 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE RAVI R.TRIPATHI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : YES

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

MANAGER

Versus

MAHAGUJARAT LABOUR UNION

Appearance:
MR DN PATEL for Petitioner No. 1
MR JOY MATHEW for Respondent No. 1

CORAM : MR.JUSTICE RAVI R.TRIPATHI

Date of decision: 24/07/2001

COMMON ORAL JUDGEMENT

With consent of the parties, both the petitions are taken up for final disposal today.

2. Taking into consideration the contents of the awards passed by the Labour Court, Ahmedabad in (i) Reference (LCS) No.185 of 1992 dated 27.7.1999; and (ii) Complaint No.76 of 1994 dated 16.10.1999, said awards are modified to the extent that the back wages, instead of 100 per cent, shall be paid 50 per cent.

3. Mr.D.N. Patel, learned advocate for the petitioner states that pursuant to the order of this Court, the respondent workmen have already been reinstated. Mr.Joy Mathew, learned advocate appearing for the respondents makes a grievance that the respondent workman in Special Civil Application No.3860 of 2000, Ranjitsinh Sanabhai Vaghela, is not reinstated so far on his original post which he was holding. Mr.D.N. Patel, learned advocate for the petitioners does not have instructions to controvert the same.

4. It is directed that the impugned awards of the Labour Court shall be complied with forthwith in its true spirit.

5. It is directed that 50 per cent of the back wages, which are now ordered to be paid, be paid to the respondent workmen within the period of eight weeks from today.

6. Both these Special Civil Applications are disposed of accordingly. Rule is made absolute to the above extent. No order as to costs.

(Ravi R. Tripathi, J.)

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